

111TH CONGRESS
2D SESSION

H. R. 5408

To amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2010

Mr. GOODLATTE (for himself, Mr. SCHIFF, Mr. SMITH of Texas, and Mr. PUTNAM) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Identity Theft Im-
5 provement Act of 2010”.

6 **SEC. 2. STATE OF MIND REQUIREMENT FOR IDENTITY**
7 **THEFT AND AGGRAVATED IDENTITY THEFT.**

8 Section 1028 of title 18, United States Code, is
9 amended by adding at the end the following:

1 “(j) STATE OF MIND PROOF REQUIREMENT.—In a
2 prosecution under subsection (a)(7) or under section
3 1028A(a), the Government need not prove that the de-
4 fendant knew the means of identification was of another
5 person.”.

○